



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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WIRELESS TELECOMMUNICATIONS BUREAU
MOBILITY DIVISION
APPROVES SETTLEMENT AGREEMENT AND
WITHDRAWAL OF PETITION FOR RECONSIDERATION

By this Public Notice, the Mobility Division of the Wireless Telecommunications Bureau (Bureau) approves a Settlement Agreement between Supreme Radio Communications, Inc. (Supreme Radio) and Nextel Communications, Inc. (Nextel), and dismisses with prejudice Supreme Radio's Petition for Reconsideration (filed 5/16/02) of the grant of certain licenses issued to Nextel.¹

On October 31, 2003, Nextel and Supreme Radio entered into an Asset Exchange Agreement (Settlement Agreement) providing for the relocation, pursuant to section 90.699 of the Commission's Rules, of Supreme Radio's upper 200 channel 800 MHz incumbent stations authorized within the economic area (EA) licensed to Nextel.² On November 6, 2003, Supreme Radio filed a Withdrawal of Petition for Reconsideration (Withdrawal Request) and the Settlement Agreement.³

The Mobility Division has reviewed the Settlement Agreement and the Withdrawal Request and finds that they raise no substantial or material questions of fact under Section 309(d) of the

¹ Nextel License Holdings 4, Inc. File Nos. 0000248634; 0000248636; 0000310011; 0000310015; 0000310023; 0000310116; 0000310120; 0000310135; 0000310141; 0000310145; 0000310147; 0000310149; 0000310150; 0000310153; 0000310155; 0000310157; 0000310163; 0000310165; 0000310166; R496692; R496697; R496700; R496732; R496791; and R497000. Nextel WIP License Corp. File Nos. 0000252586; 0000281204; 0000270617; 0000270828; 0000270831; 0000270865; 0000288956; 0000291537; 0000311350; 0000311358; 0000311380; 0000311381; 0000311389; 0000311411; 0000311413; 0000311433; 0000311434; 0000311435; 0000311451; 0000311455; 0000311456; 0000311458; 0000311461; 0000311463; 0000311466; 0000311468; 0000311469; 0000311471; 0000311487; 0000311502; 0000311529; 0000311551; 0000311574; 0000311590; 0000311609; 0000311629; 0000311650; 0000311669; 0000311688; 0000311704; 0000311718; 0000311721; 0000311724; 0000311726; 0000311728; 0000311729; 0000311730; 0000311731; 0000311733; 0000311734; 0000311743; 0000311744; 0000352453; 0000352733; 0000359416; 0000359420; 0000590708; 0000598162; 0000598167; C033501; and C033819.

² The Settlement Agreement was between Nextel West Corp., a wholly-owned indirect subsidiary of Nextel and Nextel Partners, Inc. (collectively referred to as Nextel).

³ We defer consideration of the parties' request that the Settlement Agreement be afforded confidential treatment and protection from public disclosure pursuant to Section 0.459 of the Commission's rules. 47 C.F.R. § 0.459.

Communications Act of 1934, as amended.⁴ Each party filed individual certifications in support of the Settlement Agreement and the withdrawal of all pleadings pursuant to Section 1.935 of the Commission's rules.⁵ Accordingly, pursuant to Sections 0.331⁶ and 1.935 of the Commission's rules, and based on the statements contained in the Withdrawal Request, the Mobility Division hereby approves the withdrawal of, and dismisses with prejudice, the Petition for Reconsideration filed by Supreme Radio Communications, Inc. on May 16, 2002; all other pleadings filed in that matter are hereby deemed moot and the proceeding is terminated.

Action by the Deputy Chief, Mobility Division.

FOR FURTHER INFORMATION CONTACT: Wilbert E. Nixon, Jr. of the Mobility Division at (202) 418-7240 or wilbert.nixon@fcc.gov.

⁴ 47 U.S.C. § 309(d).

⁵ 47 C.F.R. § 1.935.

⁶ 47 C.F.R. § 0.331.